

EXHIBIT “3”

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PAYNE & FEARS LLP

ATTORNEYS AT LAW
6385 S. RAINBOW BLVD., SUITE 220
LAS VEGAS, NEVADA 89118
(702) 851-0300

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

Case No. 2:18-cv-02361-MMD-NJK

DECLARATION OF SARAH J. ODIA

KRYSTAL JOHNSON, on behalf of herself
and all others similarly situated, an individual;
SHANNON DELELLE, on behalf of herself
and all others similarly situated, an individual;
CRYSTAL HONECK, on behalf of herself
and all others similarly situated, an individual;
DUSTY DANGERFIELD, on behalf of herself
and all others similarly situated, an individual;
JENNIFER WAKUZAWA-KIDA, on behalf
of herself and all others similarly situated, an
individual; SARAH PASCOE, on behalf of
herself and all others similarly situated, an
individual; ELIZABETH SPANGLER, on
behalf of herself and all others similarly
situated, an individual; SHANNON
THOMPSON, on behalf of herself and all
others similarly situated, an individual;

Plaintiffs,

v.

INTU, a Nevada corporation; DEANNA
EDWARDS, an individual,

Defendants.

I, Sarah J. Odia, declare as follows:

1. I am an attorney duly licensed to practice before this Court. I am co-counsel of record for Defendants INTU Corporation ("INTU") and Deanna Edwards (collectively, "Defendants") in the above-captioned action. I have personal knowledge of the matters set forth in this declaration.

2. All of the payout sheets provided by INTU to my office in this case have been produced in this action and are labeled INTU 000061 to INTU 001588. As an example, true and correct copies of all payout sheets for Plaintiff Shannon DeLelle for the 2018 calendar year

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1 that were produced in this action are attached hereto as **Exhibit A**.

2 3. My office has compiled all relevant information from the payout sheets for each
3 Plaintiff, including dates worked, time in/out, minutes worked (actually performing massages at
4 \$2.00 per minute), amount collected for massage services (excluding tips, which are not recorded),
5 and Plaintiffs' forty-five percent (45%) share of amounts received. Using this data, my office has
6 determined for each workweek for the calendar years 2016, 2017, and 2018: (1) the number of
7 hours worked by each Plaintiff for each workweek; (2) the total amount of compensation each
8 Plaintiff received for each workweek; and (3) each Plaintiffs' hourly rate for each work week
9 (total amount of compensation received for each workweek (excluding tips) divided by the
10 number of hours worked for the workweek). True and correct copies of the charts compiling this
11 information for each Plaintiff for each calendar year, by workweek are collectively attached hereto
12 as **Exhibit B**.

13 4. On March 19, 2019, Defendants served Plaintiffs with Interrogatories and Requests
14 for Production of Documents in this action. A true and correct copy of Plaintiffs' responses to
15 Defendants' Interrogatories is attached hereto as **Exhibit C**. A true and correct copy of Plaintiffs'
16 responses to Defendant's Requests for Production of Documents is attached hereto as **Exhibit D**.
17 In response to Defendants requests, Plaintiffs produced only limited payout sheets for Plaintiffs
18 Pascoe, Thompson, Dangerfield, and Spangler, and no payout sheets for the remaining Plaintiffs.

19 5. My office did cross-reference the payout sheets produced by Plaintiffs with INTU's
20 records and ensured that all payout sheets, including those produced by Plaintiffs were
21 incorporated in the workweek calculations that are attached as Exhibit B to this declaration.

22 I declare under penalty of perjury under the laws of the United States of America that the
23 foregoing is true and correct.

24
25 Executed May 24th, 2019, at Las Vegas, Nevada.

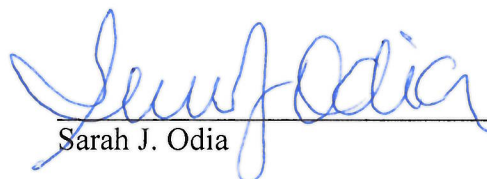
26
27 
28 Sarah J. Odia

EXHIBIT “3-A”

EXHIBIT “3-A”

Shannon
Delelle 2018



Independent
Contractor's
M A S S A G E
T H E R A P Y
R E P O R T

2018

INTU 001548

INTU

CORPORATION

Corporate Wellness & Massage Oasis

FEB 12 2012

Name Shannon DeLelle

Date 2/8/12 Time In/Out 7p-12a

Property ARIA

Minutes Worked 175 Amount \$193

Voucher #s	Start/Stop Time	Area	Table/Seat	Total Time
	7:35/8:30	8	2/2	45
	8:30/8:40	8	6/4	10
	8:45/8:55	8	4/1	10
	8:55/9:15	8	5/5	20
	9:30/10:00	8	5/5	30
	10:05/10:25	8	2/2	20
	10:45/11:00	8	17/7	15
	11:05/11:30	8	5/1	25
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			/	
			/	
			/	
			/	
			/	
			/	

For Office Use Only	
Total Minutes	<u>175</u>
Amount Owed	<u>192.50</u>
Cash in Envelope	<u>193.00</u>
Vouchers in Envelope	<u>—</u>
Amount Over or Under	<u>+ .50</u>
Property	<u>ARIA</u>

Please return to security or call 702-858-4686

INTU

CORPORATION

Corporate Wellness & Massage Oasis

FEB 12 2018

Name: Shannon DeLelle

Date: 2/7/18 Time In/Out: 2p-8p

Property: ARIA

Minutes Worked: 335 Amount: \$369

Voucher #s	Start/Stop Time	Area	Table/Seat	Total Time
	2:25/3:55	8	616	90
	4:10/4:50	8	613	40
	5:00/5:20	8	516	20
	5:30/6:00	8	613	40
	6:15/7:45	8	514	90
	7:55/8:50	8	215	55
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For Office Use Only	
Total Minutes	335
Amount Owed	368.50
Cash in Envelope	369.00
Vouchers in Envelope	-
Amount Over or Under	+.50
Property	ARIA

Please return to security or call 702-858-4686

Voucher #	Start/Stop Time	Area	Table/Seat	Total Time
	4:30/4:40	8	12/14	1:20
	6:50/7:00	8	19/18	7:0
	7:00/7:30	8	24/9	2:0
	9:35/10:55	8	7/17	2:0
	10:00/11:05	8	5/11	6:5
	11:15/11:50	8	12/14	3:5
	12:00/12:40	8	13/12	4:0
	12:45/1:15	8	30/11	3:0
	1:25/1:55	8	26/13	3:0
			1	
			1	
			1	
			1	
			1	

For Office Use Only	
Total Minutes	4:30
Amount Owed	\$473.00
Cash in Envelope	473.00
Vouchers in Envelope	—
Amount Over or Under	—
Property	Bellagio

INTUCORPORATION
Corporate Wellness & Massage Oasis

Name: Shannon DeLelle
 Date: 6/4/18 Time In/Out: 9³⁰-3³⁰
 Property: ARIA
 Minutes Worked: 265 Amount: 291.50

Voucher #s	Start/Stop Time	Area	Table/Seat	Total Time
	9:08/9:38	8	5/16	20
	9:35/10:15	8	23/3	35
	10:25/11:55	8	16/15	90
	12:10/12:40	8	22/4	30
	12:50/1:50	8	16/18	60
	2:00/2:30	8	5/7	30
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For Office Use Only	
Total Minutes	<u>265</u>
Amount Owed	<u>291.50</u>
Cash in Envelope	<u>292.00</u>
Vouchers in Envelope	<u>-</u>
Amount Over or Under	<u>+1.50</u>
Property	<u>ARIA</u>

Please return to security or call 702-858-4686

INTUCORPORATION
Corporate Wellness & Massage Oasis

Name: Shannon DeLelle
 Date: 5/29/18 Time In/Out: 6³⁰-12^{am}
 Property: ARIA
 Minutes Worked: 315 Amount: 347

Voucher #s	Start/Stop Time	Area	Table/Seat	Total Time
	6:15/6:35	3	BT/24	10
	6:30/7:15	3	24/1	45
	7:40/8:15	3	1/1	25
	8:15/8:50	3	1/4	35
	8:55/9:35	8	11/8	60
	10:30/10:50	4	5/3	30
	11:05/12:05	12	4/1	50
	12:15/1:05	12	6/1	50
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For Office Use Only	
Total Minutes	<u>315</u>
Amount Owed	<u>346.00</u>
Cash in Envelope	<u>347.00</u>
Vouchers in Envelope	<u>-</u>
Amount Over or Under	<u>+1.50</u>
Property	<u>ARIA</u>

Please return to security or call 702-858-4686

INTUCORPORATION
Corporate Wellness & Massage Oasis

Name: Shannon DeLelle
 Date: 6/25/18 Time In/Out: 5³⁰-11³⁰
 Property: ARIA
 Minutes Worked: 185 Amount: 203

Voucher #s	Start/Stop Time	Area	Table/Seat	Total Time
	5:35/5:55	8	17/1	20
	6:30/7:10	8	27/8	40
	7:35/8:40	8	2/13	65
	8:45/9:45	8	2/14	60
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For Office Use Only	
Total Minutes	<u>185</u>
Amount Owed	<u>203.50</u>
Cash in Envelope	<u>203.00</u>
Vouchers in Envelope	<u>-</u>
Amount Over or Under	<u>-1.50</u>
Property	<u>ARIA</u>

Please return to security or call 702-858-4686

